

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Sheng-Wen Cheng,

Case No. 24-cv-3712 (KMM/DLM)

Plaintiff,

v.

**ORDER**

Jared Rardin, Ethan Derr,  
and Chad Orum,

Defendants.

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On September 20, 2024, Sheng-Wen Cheng filed a lawsuit against Jared Rardin, Ethan Derr, and Chad Orum alleging violation of his rights, privileges, and immunities, under the Fourth, Fifth, and Eighth Amendments to the United States Constitution, and the non-delegation doctrine. Compl., ECF No. 1.

The Clerk of Court mailed a letter to Mr. Cheng, dated September 20, 2024, stating the Court had not received the filing fee in connection with his Complaint. ECF No. 2. The Court informed Mr. Cheng that his lawsuit would be summarily dismissed without prejudice within 15 days after the date of the letter if the Court had not received his filing fee or an Application to Proceed Without Prepayment of Fees. *Id.* To date, Mr. Cheng has not paid the required initial partial filing fee, nor has he communicated with the Court about this case since the commencement of this action.

On November 19, 2024, Magistrate Judge Douglas Micko issued a Report and Recommendation (“R&R”) recommending that this action be dismissed without prejudice under Rule 41(b) for failure to prosecute. R&R, ECF No. 6. No objections have been filed to the R&R in the time period permitted, and the time to do so has since passed.

Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein: **IT IS HEREBY ORDERED** that the November 19, 2024 Report and Recommendation [ECF. No. 6] is **ACCEPTED**, and Mr. Cheng's Complaint is **DISMISSED without prejudice.**

**Let Judgment be entered accordingly.**

Date: March 31, 2025

*s/Katherine Menendez*

Katherine Menendez  
United States District Court